

**OPINION
53-63**

July 13, 1953 (OPINION)

INSTITUTIONS

RE: Counties to Pay Collections Made for Cost of Keep of Patients

You ask for an interpretation of chapter 198 of the 1949 Session Laws.

You state that Traill County has made collections from several patients, or their guardians or relatives, in the sum of \$1,921.78, as the result of institutional care prior to July 1, 1949.

You ask specifically what disposition should be made of these funds by the Traill county auditor.

We think the language in chapter 198 of the 1949 session laws is clear and quite plainly directs that the county auditor shall first apply moneys so collected to payment of the sum due to the county and that the remainder, if any, shall be paid to the state treasurer who shall credit the same to the charitable institutions revolving fund. We notice that chapter 198 amends and reenacts previous applicable statutes.

It is our opinion, therefore, that whatever fund are on hand as a result of collections made by county auditors must be distributed in conformity with chapter 198, subsection 5, 1949 session laws.

ELMO T. CHRISTIANSON

Attorney General